

SECTION IV. 4. Respite Care Services

A. Definition of Respite Care

“Respite Care Services” are services provided to individuals who are unable to care for themselves, and are furnished on a short-term basis because of the absence or need for relief for those persons who normally provide unpaid care.

B. Respite Care Standards

Respite Care Services providers who manage and supervise respite employees must be authorized to provide Choices for Care (CFC) services by the Department of Disabilities, Aging and Independent Living (DAIL) and comply with the following:

1. All Applicable State and/or Federal Rules and Regulations
2. Consumer and Surrogate-Directed Employer Responsibilities (Consumer/Surrogate Employers only) as outlined in the Employer Handbook.
3. Standards for Adult Day Services in Vermont (*Adult Day providers only*)
4. CFC Universal Provider Qualifications and Standards (*Section III.*)
5. CFC Services Principles (*Section IV.*)

C. Provider Types

The following provider types are approved to provide Respite Care Services when authorized by DAIL and identified on the individuals Service Plan:

1. Home Health Agencies (*as defined by State statute*)
2. Employees of Certified Consumer or Surrogate Directed Employers
3. Adult Day Providers
4. Medicaid Certified Nursing Facilities
5. Enhanced Residential Care Providers
6. Approved Hospital “Swing Bed” Providers

D. Approved Activities

Respite Care Services may include the following approved activities:

1. Personal Care

2. Supervision

3. Socialization

E. Limitations

1. Respite Care Services as defined in this section are limited to individuals approved by DAIL for services in the Home-Based setting.
2. Respite Care Services are limited to individuals who have identified an unpaid caregiver who will benefit from respite.
3. Respite Care Services are limited to a maximum of 720 hours (30 days) per calendar year in combination with Companion Services.
4. Respite Care Services provided in an Enhanced Residential Care or Nursing Facility setting must be utilized in 24-hour blocks.
5. Respite Care workers with a substantiated record of abuse, neglect, or exploitation of a child or a vulnerable adult shall not be paid to provide CFC Personal Care Services (*DAIL Background Check Policy, April 1, 2006*).
6. Respite Care workers who have been excluded from participation in Medicaid or Medicare services, programs, or facilities by the federal Department of Health and Human Services' Office of the Inspector General shall not be paid to provide CFC Personal Care Services (*DAIL Background Check Policy, April 1, 2006*).
7. Respite Care Workers who have a criminal conviction for an offense involving bodily injury, abuse of a vulnerable person, a felony drug offense, or a property/money crime involving violation of a position of trust shall not be paid to provide CFC Personal Care Services (*DAIL Background Check Policy, April 1, 2006*).
8. A spouse or a Civil Union partner shall not be paid to provide respite care services.
9. A legal guardian, appointed by the probate court, shall not be paid to provide respite care services.
10. Respite Care Services shall not be provided to a participant while out of the state of Vermont for more than 7 consecutive days.
11. Consumer or Surrogate-Directed employees must be 18 years of age or older.
12. A surrogate employer shall not be paid to provide Respite Care Services.
13. Respite Care Services do not include the cost of room and board except when provided as part of respite care furnished in a Nursing Facility setting.
14. CFC shall not be used to provide Respite Care Services that are otherwise being purchased privately or paid for through another funding source.